

Exhibit 2



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

August 16, 2023

BY EMAIL

Mark S. Cohen, Esq.
Christian Everdell, Esq.
Cohen & Gresser LLP
800 3rd Avenue
New York, NY 10022

Re: *United States v. Samuel Bankman-Fried*, S6 22 Cr. 673 (LAK)

Dear Counsel:

Pursuant to the Court's scheduling order, the Government hereby provides notice that it anticipates calling Special Agent Richard V.C. Busick V of the Federal Bureau of Investigation ("FBI") as a witness in the trial of the above-referenced matter. Enclosed is a disclosure made pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G) stating the anticipated opinions of Special Agent Busick and the bases and reasons for them. The Government reserves the right to supplement and/or amend Special Agent Busick's anticipated testimony, and will do so promptly pursuant to the requirements of Rules 16(a)(1)(G)(vi) and 16(c).

* * *

Separate and apart from Special Agent Busick, the Government expects to call an FBI Special Agent who will testify regarding his review of the content, metadata, and filepaths associated with Slack data and Google documents, including word processing documents and spreadsheets that came from the business and personal Google accounts of individuals currently or formerly employed by FTX and/or Alameda Research, such as the defendant. The Special Agent will explain the electronic metadata typically associated with Slack and Google documents, and will describe the readily observable information attained from metadata and filepaths created when these Google documents were originated, modified, and/or deleted. In particular, the Special Agent may be asked to examine certain exhibits and their associated metadata properties—such as the fields listing the author, custodian(s), and viewer(s), as well as the content created, modified, viewed, saved, and/or deleted dates.

The Government does not intend to offer or qualify the FBI Special Agent as an expert witness because his testimony will be based on his review of readily observable document contents, metadata, and filepaths. Nonetheless, while Rule 16(a)(1)(G) does not require expert disclosures under these circumstances, in an abundance of caution, we are notifying you of our intention of calling this witness and the scope of his expected testimony. Please let us know

promptly if you believe the Special Agent's anticipated testimony requires expert qualifications and the bases for such a conclusion so that we may raise the issue with the Court. Under such circumstances, we reserve the right to provide a supplemental notice in the event expert qualification is required.

Please contact us with any questions.

Regards,

DAMIAN WILLIAMS
United States Attorney

by: /s/
Nicolas Roos
Danielle Sassoon
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Sam Raymond
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Enclosure

Expert Disclosure – Special Agent Richard V.C. Busick V
(August 16, 2023)

Special Agent Busick is a certified member of the Federal Bureau of Investigation (“FBI”) Cellular Analysis Support Team (“CAST”). He will be called to testify regarding historical cell site analysis, as further described below.

A. Qualifications and Prior Testimony

Special Agent Busick has been a certified member of the FBI’s CAST group since 2021. CAST is a group of special agents with specialized training in analyzing cellular telephone records, including training in interpreting data regarding the locations of communication towers used to transmit cellular voice, text, and data communications. Special Agent Busick’s qualifications and a list of all cases in the last four years in which he testified as an expert are contained in his *curriculum vitae*, attached hereto as Appendix A.

B. Anticipated Opinions

The Government expects that Special Agent Busick will testify about cellular network operations, including but not limited to their design, coverage, testing, and performance, and offer his expert opinion about the likely approximate locations of a certain cellphone at the times that the cellphone connected to specific cell sites in Manhattan, New York between approximately June 1, 2021 and October 31, 2022. The Government expects that Special Agent Busick’s testimony will be accompanied by certain exhibits relevant to his cell site location analysis and conclusions. The Government will provide these exhibits on or before the September 8, 2023 exhibit deadline.

With respect to cellular network operations and certain related topics, Special Agent Busick is expected to testify that: (1) cellular service providers’ cellular networks consist of cell sites, which are designed to provide service to cellular service providers’ customers in a given area; (2) cellular service providers locate, arrange, and optimize cell sites with the goal of ensuring sufficient geographical coverage and capacity to service all users and further collect, store, and analyze cell site location data for wireless devices, including cellphones, that connect to those cell sites; (3) to accomplish these goals in densely populated metropolitan areas, cellular service providers place multiple cell sites, each of which is intended to service a relatively small geographical area that typically spans a few city blocks, depending on the surrounding geography, topography, and the proximity of other nearby cell sites; (4) the cellular network for AT&T in the New York City area in 2021 and 2022 is consistent with this placement; (5) wireless devices, including cellphones, are designed to meet universal industry protocols by which cellphones connect to the cell site that provides the strongest and clearest signal; (6) often (but not always), the nearest cell site provides this signal; however, the nearest cell site may not provide the strongest and clearest signal due to the geography and topography of an area or network design, which implicates both natural and man-made obstructions; (7) even where the nearest cell site does not provide the strongest and clearest signal, the second-nearest cell site likely would provide this signal, for the same reasons of geography and topography, and in Special Agent Busick’s experience conducting drive tests to analyze cellular networks’ performance and analyzing cell site data to locate individuals in real time, he has frequently observed cellphones connect to one

of the three or at most four-nearest cell sites; (8) the universal industry protocols result in a cellphone connecting to the cell site with the strongest and clearest signal are a necessity because they allow cellular networks to reliably, predictably, and efficiently service customers and allow for wireless device inter-operability across different cell sites as well as different regions around the country and manufacturers of cellphones; and, for all of these reasons, (9) analyzing cell site location data obtained from cellular service providers is a reliable way to approximate the geographical area or range within which a wireless device, including a cellphone, was likely located at the time that it connected to a cell site, particularly in metropolitan areas with dense cellular networks, including for cellphones serviced by AT&T in the New York City area in 2021 and 2022.

With respect to the particular cellphone and the approximate locations of that cellphone on particular dates, Special Agent Busick will testify about cellphone number (650) 906-9179 (the “Defendant’s Cellphone”). Special Agent Busick will testify that the size of the coverage area for a cell site will vary based on the network layout and cellular density in the area. Each cell site is specifically designed to provide coverage to an area in its immediate vicinity. The approximate coverage of a cell site area can be determined by analyzing the proximity and number of adjacent cell sites. Special Agent Busick is expected to testify that based on his review of the cell site location data produced in discovery on July 28, 2023, bearing control numbers SDNY_10_00532225 through SDNY_10_00547411, the Defendant’s Cellphone was located in Manhattan, New York on the following dates between June 1, 2021 and October 31, 2022:

- June 7-10, 2021
- September 10-18, 2021
- November 16, 2021
- November 29-December 1, 2021
- February 3-4, 2022
- March 2-4, 2022
- May 5-6, 2022
- May 9-10, 2022
- June 8-9, 2022
- June 23-24, 2022
- July 18-21, 2022
- August 12-13, 2022
- August 16-18, 2022
- September 16, 2022
- September 20-22, 2022
- October 5-8, 2022
- October 11, 2022
- October 13-14, 2022

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C. Approval and Signature

I hereby approve the disclosure of my qualifications, anticipated opinions, and bases for such opinions, as set forth above.

Handwritten signature of Richard V.C. Busick in cursive script.

FBI Special Agent Richard V.C. Busick V

Appendix A

CURRICULUM VITAE***Richard V. C. Busick V***

Federal Bureau of Investigation
 New York Office
 26 Federal Plaza
 New York, New York 10278
 rvbusick@fbi.gov

PROFESSIONAL EXPERIENCE
Federal Bureau of Investigation
Special Agent

New York, NY
 June 2002 – Present

Certified member of the Cellular Analysis Support Team (CAST). Detailed to the New York Office by the FBI Headquarters Criminal Investigative Division CAST Unit. Analyze call detail records (CDRs), historical cell site information, Google precision location information, and other cellular telephone, social media, and internet records in furtherance of priority investigations and to locate victims and subjects in exigent situations.

Assigned to the Joint Bank Robbery/Violent Crime Task Force from September 2011 to October 2021. Conducted investigations into federal violent crimes including bank robbery, armored car robbery, kidnapping, assaults on federal officials, interstate threats, crimes on the high seas, Hobbs Act robbery, murder for hire, and others. Regularly utilized records including CDRs, historical cell site, and a variety of other data sources to further these investigations and locate subjects, missing persons, and kidnap victims.

Previous assignments include investigating violent crimes and gangs as part of the Hudson Valley Safe Streets Task Force (2009 – 2011), investigating international money laundering and drug trafficking on the New York Organized Crime Drug Enforcement Strike Force (2004 – 2009), and conducting counterterrorism investigations on the Joint Terrorist Task Force (2002 – 2004). These assignments required extensive use of sophisticated investigative techniques including pen registers, Global Positioning System (GPS) tracking, Title III electronic intercepts, and others. Assigned to the New York Special Weapons and Tactics (SWAT) Team (2007 – 2018) and served as an assault team leader (2013 – 2018), regularly utilizing historical and real-time mobile device geolocation data to locate targets prior to and during SWAT missions. Deployed to Iraq (2007) and Afghanistan (2010) on assignments in furtherance of the FBI's counterterrorism mission and in support of U.S. and Coalition Forces.

United States Navy Reserve – Office of Naval Intelligence
Intelligence Officer

Fort Dix, NJ
 May 2018 – Present

Serve as a Division Officer in the Operations Department of a Navy Reserve unit supporting the Office of Naval Intelligence. Lead and oversee enlisted Intelligence Specialists collecting intelligence and conducting analysis on transnational threats in the maritime domain. This mission includes identifying, characterizing, and tracking vessels of interest using commercial software, open sources, and signals intelligence capabilities as well as providing analysis in response to specific tasking and standing requirements.

Manchester Police Department
Police Officer

Manchester, CT
 September 1996 – June 2002

Responded to emergencies and other calls for service, conducted investigations of a variety of incidents and criminal offenses. Enforced motor vehicle and criminal laws. Authored arrest and search warrants. Searched for and located missing persons. Located and arrested wanted persons and fugitives. Served as Field Training Officer and trained new police officers on all facets of the duties of a patrol officer as part of a formalized field training program. Served as a member of a regional SWAT team which involved responding to critical incidents and safely apprehending armed and dangerous or otherwise violent persons.

EDUCATION

Johns Hopkins University, <i>Master of Arts in Government</i>	Washington, DC	2020
Johns Hopkins University, <i>Graduate Certificate in Intelligence</i>	Washington, DC	2016
The College of William and Mary in Virginia, <i>Bachelor of Arts in Sociology</i>	Williamsburg, VA	1997

PROFESSIONAL TRAINING

Cellular Analysis Survey Team (CAST) Recertification Conference (March 2023, March 2022) – Annual 24 hour course including instruction from the major cellular providers and other representatives from the telecommunications and social media industry, including the Florida Institute of Technology, Netscout, Google, Apple, Ford Motor Company, and others. Topics covered included technology and network updates, Radio Frequency (RF) and cellular network engineering with regard to locating mobile devices, analysis of historical cell site and geolocation data including the use of data session records, connected cars and vehicle telematics, mobile virtual network operators, and other related topics.

CAST Certification Course (August – September 2021) – 160 hour course including 40 hours of instruction from the Florida Institute of Technology on RF Theory and cellular networks including Global System for Mobile communications (GSM), Code Division Multiple Access (CDMA), Universal Mobile Telecommunications Service (UMTS), Long Term Evolution (LTE), and Fifth Generation Mobile Network (5G) protocols. Classroom and hands-on training on the use of the Gladiator Autonomous Receiver (GAR) for mobile drive testing. Received instruction directly from the cellular providers and their engineers for each of the four major cellular carriers, AT&T, T-Mobile, U.S. Cellular, and Verizon. Received legal training and instruction on providing expert witness testimony.

CAST Critical Incident Readiness Assessment (June 2021) – 32 hour field training exercise focused on mobile device geolocation related to critical incidents in a time-sensitive environment. The course utilized practical case scenarios requiring students to apply their understanding of cellular theory to the analysis of CDRs with historical cell site information to identify a target device and user, geolocate the device or devices, and produce a graphic report illustrating their findings.

CAST Advanced Historical Cell Site Analysis Course (April 2021) – 40 hours of instruction on cellular theory and analysis of CDRs with historical cell site information through hands-on analysis of various case studies. Discussion of the network setup and records of each cellular provider. Instruction on creation of cellular analysis reports.

CAST Basic Historical Cell Site Analysis Course (June 2019) - 24 hours of instruction including an introduction to cellular theory and the analysis of CDRs with historical cell site information from the major cellular providers.

Reserve Naval Intelligence Officer Basic Course (March 2019, February 2020) – 264 hours of instruction in the various disciplines of intelligence including geospatial and signals intelligence collection, intelligence analysis, and the intelligence cycle. Instruction on naval operations and intelligence in the maritime domain as well as in support of naval and joint operations ashore.

Federal Bureau of Investigation New Agents Training (June – September 2002) – 16 week basic training course for new Agents including legal, procedural, investigational, technical, firearms, and tactical instruction.

Connecticut Police Officer Standard and Training Council Police Academy (September 1996 – January 1997) – 16 week basic training course for police officers including legal, procedural, operational, firearms, and tactical instruction.

AWARDS

- FBI Director's Award for Distinguished Service to the Law Enforcement Community (2016)
- FBI Director's Award for Excellence in the HUMINT Program (2011)

INSTRUCTION PROVIDED

- CAST Basic Historical Cell Site Analysis Course, Framingham, MA (February 2023) – 52 students
- CAST Basic Historical Cell Site Analysis Course, Boston, MA (July 2022) – 80 students
- International Homicide Investigator's Association – CAST Overview, Nashua, NH (May 2022) – 75 students
- CAST Basic Historical Cell Site Analysis Course, New York, NY (February 2022) – 32 students
- CAST Basic Historical Cell Site Analysis Course, Newark, NJ (December 2021) – 25 students

EXPERT TESTIMONY

- *People v. DEQUAN REYES* (Indictment 1943/2018), Supreme Court of the State of New York for the County of Queens, Queens, NY (June 6, 2023)
- *U.S. v. CHRISTOPHER ACEVEDO* (21-CR-162-DG), U.S. District Court for the Eastern District of New York, Brooklyn, NY (May 4, 2023)
- *U.S. v. RICHARD SINDE, ET AL* (21-CR-343-MAD), U.S. District Court for the Northern District of New York, Albany, NY (April 20, 21, 2023)
- *People v. SHAKIM ALLEN and DRESHAUN SMITH* (Indictment 2137/2017), Supreme Court of the State of New York for the County of Queens, Queens, NY (March 13, 2023)
- *U.S. v. KEITH WYCHE and ONEIL ALLEN* (18-CR-561-DLI), U.S. District Court for the Eastern District of New York, Brooklyn, NY (February 13, 2023)
- *U.S. v. STEPHEN SIMMONS* (22-CR-399-VEC), U.S. District Court for the Southern District of New York, New York, NY (January 13, 2023)
- *State of Minnesota v. LENEIL JAMES COLBERT, JR.* (62-CR-21-6336), Ramsey County District Court, St. Paul, MN (November 16, 2022)
- *U.S. v. CHRIS BANTIS* (21-CR-483-ENV), U.S. District Court for the Eastern District of New York, Brooklyn, NY (November 15, 2022)
- *U.S. v. LAFAYETTE MORRISON, ET AL* (20-CR-216-AMD), U.S. District Court for the Eastern District of New York, Brooklyn, NY (October 18, 19, 2022)
- *U.S. v. AL MALIK ALSHAHHI, ET AL* (21-CR-371-BMC), U.S. District Court for the Eastern District of New York, Brooklyn, NY (October 12, 2022)
- *U.S. v. ANTHONY ZOTTOLA, ET AL* (18-CR-609-HG), U.S. District Court for the Eastern District of New York, Brooklyn, NY (October 6, 11, 2022)
- *U.S. v. ANTHONY PANDRELLA* (19-CR-122-MKB), U.S. District Court for the Eastern District of New York, Brooklyn, NY (June 9, 2022)
- *U.S. v. TAWANNA HILLIARD* (19-CR-358-PKC), U.S. District Court for the Eastern District of New York, Brooklyn, NY (April 21, 2022)
- *U.S. v. ERIC SPENCER* (21-CR-193-GHW), U.S. District Court for the Southern District of New York, New York, NY (March 24, 2022)
- *U.S. v. ZHONGSAN LIU* (19-CR-804-VEC), U.S. District Court for the Southern District of New York, New York, NY (March 21, 2022)
- *U.S. v. TYREIK JACKSON* (20-CR-476-EK), U.S. District Court for the Eastern District of New York, Brooklyn, NY (February 16, 2022)

Updated June 2023